

THE SUPREME COURT.

DECISIONS RENDERED SATURDAY, FEBRUARY 9.

Hon. James Jackson, Chief Justice; Hon. Samuel Hall and M. H. Blandford, Associate Justices.—Re-acted for The Constitution by J. H. Lumpkin, Supreme Court Reporter.

Hagan, alias Clark, vs. State. Forgery, from Fulton. Criminal Law. Forgery. Evidence. New Trial. (Before Judge Hagan.)

Jackson, C. J.—1. The evidence is sufficient to convict the defendant beyond any doubt of having knowingly uttered the forged paper introduced, if it was legally admitted.

2. Although the date and signature of a forged paper may have been very badly written, yet if there was sufficient to make them mean what was charged in the indictment, it was for the jury to say whether the defendant, in uttering the paper, did so as of the date and with the signature charged.

3. There was no error in charging that "It seems to me that if it be proved by the evidence that the paper was a forgery, and that it was shortly afterwards found in defendant's possession, and that he uttered it as true, that the law will presume a knowledge on his part that it was forged. Indeed, I cannot see how else a knowledge that the paper was forged could well be proved." This was an expression of opinion as to the legal effect of certain facts if proved, but not as to what was proved.

(a) The verdict was required by the evidence, and in such cases even if there be error in the charge, it will not necessitate a new trial.

Judgment affirmed.

George N. & D. P. Lester, for plaintiff in error.

R. J. Hill, solicitor general, for the state.

Adair et al. vs. Germany Fire Insurance Co. et al. in *vice versa*. Action on insurance policy, from Glynn. Insurance. Contracts. Actions. Amendment. (Before Judge Merriman.)

Jackson, C. J.—1. An action on a parol renewal of an insurance policy is demarable. Code, 274.

2. An action on a policy of insurance, renewed or considered as renewed by parol, could not be amended so as to recover against the insurance company for failing and refusing to renew the policy. Such an amendment having been made, there was no error in dismissing the case on demur.

(a) The plaintiff may perhaps recover on an original suit for a failure or refusal to renew a policy, but she must begin de novo. 45 Ga., 53.

Judgment affirmed.

Harris & Smith, by Harrison & Peeples, for Roberts.

Syynes & Atkinson, by J. H. Lumpkin, contra.

Savannah, Florida and Western Railway vs. Stewart, Case, from Ware. Railroads. Damages. Negligence. Husband and wife. Charge of Court.

Hall, J.—In a suit by a widow against a railroad company for the homicide of her husband, in case of a recovery, she may recover the full value of the life of the deceased as shown by the evidence. The onus is upon the plaintiff to establish the amount of damage which she is entitled to recover, and one element of such proof is the number of years the deceased would probably have lived. If it has failed to make out a case, the verdict should be for the defendant. Code, 294.

2. There being no evidence to show that the person killed was drunk or in such a condition of intoxication to put the engineer or conductor on notice of the fact in time to have checked either of the following defenses.

(a) That the person injured and the agents of the company are at fault, there may be a recovery, but the damages are to be diminished by the jury in proportion to the default of the injured party. 28 Ga., 409; 453; 42 id. 327; 53 id. 12; 69 id. 67; 97 id. 744; 56 id. 543; 60 id. 667; 28 id. 967.

(b) As railroad companies are held to strict accountability for the performance of their duty to their patrons, servants and the public, they are entitled not only to a clear track, but also to the use of all the means indispensable to the discharge of this duty. But while the obligation of the company to a trespasser on its track may not be the same as to passengers, employees or other persons having business with it and whose presence there is authorized, or even to persons who were there with its consent, it is to have become an outlaw, and forfeit all right to have its agents regard his personal security or life, and to exempt it from liability for damages resulting from the exercise of its power on its part the casualty could have been avoided.

(c) If a person appears upon a railroad track in a helpless condition, and the engineer and his assistants discover him in time to stop the train before reaching him, but do so, the company would be liable in damages in proportion to its own default and that of the other party.

(d) This case distinguished from Central Railroad vs. Brinson. (February term, 1883.) The facts of this case did not warrant a reversal against the defendant.

Judgment reversed.

Capers Dickson, for plaintiffs in error.

L. M. Middlebrooks; J. M. Pace, A. M. Peeples, for defendants.

Wilson & Brother vs. White, Case, from Court of Appeals. Actions. Damages. Negligence. Contractors. Principal and Agent. Streets and Sidewalks. Attestation.

Hall, J.—In an independent contractor employed to do a lawful act, and in the course of his work he or his servants commit some causal act of wrong or negligence, the employer is not responsible; but unless the employer who was himself a contractor, had relinquished his control over the work to the subcontractor, and the agents of the company are at fault, there may be a recovery, but the damages are to be diminished by the jury in proportion to the default of the injured party. 28 Ga., 409; 453; 42 id. 327; 53 id. 12; 69 id. 67; 97 id. 744; 56 id. 543; 60 id. 667; 28 id. 967.

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Judgment reversed.

Capers Dickson, for plaintiffs in error.

L. M. Middlebrooks; J. M. Pace, A. M. Peeples, for defendants.

McAfee et al. vs. Covington et al. Injunction, from Cherokee. Judgments. Contracts. Torts. Constitutional Law. (Before Judge Hammond.)

Hall, J.—A judgment rendered in an action for a tort, growing out of the wrongful conduct of the plaintiff, is not to be limited within the meaning of that provision of the federal constitution which forbids a state to pass any law impairing the obligation of a contract; after if the judgment were founded upon a contract. Therefore, a judgment based upon an action for a tort, though rendered prior to 1868, could not subject a homestead set apart under the state constitution then adopted. Const. U. S. Art. 1 sec. 10, par. 1; 15 Wall., 610; Code, 2716, 2720, 2727; 5 McLean, 272; 3 Bur., 1548; 21 Wall., 203; 7 Johns. R., 477; 1 Litt. (Ky.), 326; 11 Me., 281; 13 Wis., 341; 11 Pet., 420; 8 Id., 88; 2 Id., 463; 32 La. Ann., 709; 717-14; R. M. Charlton, 324; distinguished from 94 Ga., 482.

Judgment affirmed.

R. S. Burch, by brief, for plaintiff in error.

J. L. Rodgers, for plaintiff in error.

W. T. Moyers, by Harrison & Peeples, for defendant.

Sharp, administrator, et al. vs. Findley et al. Equity, from Monroe. Equity. Practice in Superior Court. Jurisdiction. Wills. Minors. Estoppel. Guardian. Title. Practice in Supreme Court. (Before Judge Willis.)

Jackson, C. J.—1. When, for any reason, existing or to exist, it becomes impossible to carry out in whole or in part any last will and testament, a judge of the superior court has power to render at chambers any decree which may be necessary. A decree for the sale of real estate to which minors are entitled, could be rendered at chambers on the petition of the executors, or wills, leaving the parties and the minor legatees represented by the executors as their guardian ad litem, there being no issue of fact and all parties assenting thereto. Code, 2414, 4221, 4222, 4223, 4224; Acts 1865-6, p. 221; 65 Ga., 24; Weems et ux. vs. Banks (term.)

(a) Under § 4214 of the Code, the judges are to determine on the impossibility of carrying out the will and the reason for action.

(b) That owing to the disastrous effects of the then recent war and the total change in productiveness of landed property, a support could not be realized if the will were carried out, would seem to be a valid reason for action. Rakestraw, adm'r., vs. Rakestraw et al. (present term.)

(c) The record showed consent of parties in writing, and it was unnecessary for the court to submit to the jury the necessity for the sale.

(d) That the executor was appointed guardian ad litem for the minors did not under the proceeding void. 59 Ga., 729.

(e) Upon the presentation to the chancellor of the petition showing that the chancellor of minors was involved, they became wards of chancery.

2. The decree for such sale provided that the money acquired therefrom should be delivered to the regular guardian of the infants, and it was so paid, after much litigation on bills in equity between the guardian and executor and a prochein amy of the infants and executor, in which this decree was set up and relied upon by the representatives of the minors, such minors would be compelled to deny the validity of the decree.

3. Every trial, in the view with and despite innocent purchasers who paid full value for the property.

4. The fact that the judge of the superior court considered the petition to sell in term, and called in a jury to pass on the necessity of the sale, would not render the decree less final.

5. A new trial being granted, the decree fails, and it is unnecessary to pass upon the exceptions thereto or the motion to dismiss the writ of error founded on a separate bill of exceptions as to the decree.

(a) It being unnecessary, at least, to file a separate bill of exceptions to the decree, the plaintiff in error must pay the costs connected therewith.

6. Where the names of some of the plaintiffs in error were omitted from the bill of exceptions, but their names could be supplied

from the record, they could be inserted in the bill of exceptions by amendment, and service on them was unnecessary.

7. Where a case was sent to this court under the act of 1877, after the return day thereof, the burden is on the defendant in error to show that the clerk was delayed by counsel for plaintiff in error, or by the plaintiff's own conduct, in order to dismiss the writ of error on that ground.

8. Where a motion for new trial goes over to another regular term of court, and no action is had upon it, it will stand continued as any other case, and the writ of error will not be dismissed for that reason, nor will the motion be adjudged to be too late.

Judgment reversed.

A. D. Hammond; John I. Hall; R. P. Trippé, for plaintiffs in error.

Lanier & Anderson; E. W. Beck, for defendant.

Conley vs. Sims & Blalock. Complaint, from City Court of Atlanta. Fertilizers. Contracts. Fraud. (Before Judge Clark.)

Jackson, C. J.—Where a vendor of fertilizers, C. W. Blandford, a vendor of fertilizers, and a husband and wife, and together with the wife's property to possession as his own, and he could still do so, after the passage of that act, but it was optional with him to do so or not, and if he failed or refused to subject it to his control, he could not be compelled to do so by creditors or others, to the exclusion of the wife's rights or interests therein. 57 Ga., 422; 67 Id., 193; Coover vs. Sims, (present term.)

(a) A husband having never asserted his marital rights, the property remained the separate estate of the wife, and together with the wife's property to possession as his own, and he could still do so, after the passage of that act, but it was optional with him to do so or not, and if he failed or refused to subject it to his control, he could not be compelled to do so by creditors or others, to the exclusion of the wife's rights or interests therein. 57 Ga., 422; 67 Id., 193; Coover vs. Sims, (present term.)

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ATLANTA, GA., FEBRUARY 13, 1884.

THE TERRORS of the flood increase in Cincinnati as buildings begin to tumble from their foundations. The signal service has notified the people of the lower Mississippi that within twenty days the full force of the waters will break upon them.

SAVANNAH is entertaining the members of the state agricultural society in a royal manner. The address of welcome, delivered by Mayor Lester was a masterpiece of oratory and the sentiments expressed by the speaker will be echoed by every heart in Georgia.

TAX fall of Sunk spreads terror throughout Egypt, and creates no less consternation among the liberal leaders of England, who are now waking up to the folly of their eastern policy. The followers of the Mahdi seem to march on to victory without meeting a single obstacle.

THE ASSERTION having been made in many histories, and reiterated by the northern press in a pending discussion, that the federals flatly refused to make a second charge at Cold Harbor, the matter was referred to General Grant. In his reply he states that no order given by him was disobeyed, and that he has no recollection of the disputed incident.

INDICATIONS for the south Atlantic states: local rains, partly cloudy weather, winds generally from southeast to southwest, lower barometer, slight rise in temperature in northern portion, nearly stationary temperature in southern portion, followed by cooler weather during Wednesday night.

THE DEMOCRATIC POLICY.

Editor Watterson's esteemed paper, the Courier-Journal, of Louisville, Kentucky, is greatly pestered because THE CONSTITUTION will not join it in a wild and fruitless attempt to bring about tariff reform in the present congress. However genuine our contemporary's distress may be, it is undoubtedly comical, for the discussion in which it would have us engage is as fruitless as the attempt of a number of impatient democrats to bring about a reduction of the tariff. We ask the Courier-Journal recently what it thought of the Morrison bill as step in the direction of tariff reform. In reply it says that the bill is a step in this direction. "It may not be all we could ask," the Courier-Journal goes on, "but if it is all we can get at present, we shall be satisfied until we can get more."

But is the Morrison bill a step in the direction of tariff reform? Has it the slightest chance of receiving the endorsement of the senate and the president? The Courier-Journal says these are questions which no man can answer. But our contemporary is mistaken. These are just the questions which nearly every man in the country can answer. Neither Mr. Morrison's tariff reform bill nor any other tariff reform bill can become a law as long as the republican party stands in the way. If it were otherwise—if there was the slightest possibility that a republican senate and president would take up the Morrison bill and make it a republican measure by adoption—the democratic party would get precious small credit for furthering tariff reform.

As matters stand, we are not at all sorry that there is no chance for Mr. Morrison's bill. When such a measure becomes a law, we want the democratic party to have all the credit of it and all the benefit that a political party may derive from a wise and just measure. The Courier-Journal, however, is of the opinion that the bill will be very valuable as a sort of pointer, showing where the parties "stand." "If it does not pass, its defeat will disclose the reasons why." This is country is in favor of tariff reform, it should know who are the tariff reformers. Thus the esteemed Courier Journal declares in the heat and fury of its argument. Then, cooling off a little, it says: "The democratic party has put itself forward as the champion of a revenue tariff." As to this we are not sure, but it is certain that the democratic party has put itself forward as the champion of tariff reform and a reduction of taxation. Everybody in the whole country understands that the drift and purpose of the democratic party is in this direction, and there is no necessity for a parcel of congressmen to be advertising or exploiting the matter.

The Morrison bill, so far as we can see, is mild enough to suit even a mild protectionist, but it amounts to nothing, simply because it is either foreclosed to defeat, or the republicans, taking it up and adopting it, will reap the party advantages which Editor Watterson discovers in the measure. That is all there is of it.

THE BANK CIRCULATION.

If the redemption of the three per cents is maintained to the end of the year at the present rate, the controller of the currency estimates that the bank circulation will be contracted during the year fully \$60,000,000. The banks hold two-thirds of the three per cents, and when their holdings are called in they refuse to replace them with four per cents that are worth 125 on the market. The large revenue of the government is therefore leading to a very considerable curtailment of the bank circulation, and the friends of the banks in congress are striving to bring them relief. There are three propositions already before congress. Senator Irwin would fund the four per cents, which mature in 1897, into three per cents, paying fifteen per cent in cash as a differ-

ence to those holders who will voluntarily agree to such an exchange. It is thought all the fours would be exchanged under this plan, as the premium on the new threes would make good the difference of ten per cent. These bonds would then be utilized as a basis for banking. Controller Knox, who favors the plan, thinks that all the fours would be exchanged. As they amount to over 700 millions, this exchange would take from the treasury over 100 millions without reducing the debt a single dollar. It would, however, lessen the interest burden. It would stop the redemption of the threes, because all the money on hand would be needed to pay the premium on the fours offered in exchange. The banks would, of course, be relieved, for they could hold their threes until they accumulated enough fours for exchange; but it is doubtful whether the people will favor a plan that drains the treasury for the benefit of the banks.

The McPherson bill proposes to increase the rate of issue upon the long bonds to 90 per cent of their current market value, or, in other words, to authorize the issue of 100 cents upon three per cent bonds, 102 cents on four-and-a-half, and 110 cents upon 1890 on the fours—the last-named to be reduced one per cent each year after 1890 until the amount of circulation shall reach par. The objections to this plan are strongly urged. It looks to a contraction of the currency after 1890, and it makes a part of the security of the circulation rest upon something other than an obligation of the people.

The latest estimates place the population of the globe at 1,423,800,000, indicating a decrease in the last three years of some 22,000,000, though, as a matter of fact, there has been an actual increase of some 33,000,000. This apparent discrepancy is accounted for by the fact that the population of China has heretofore been largely overestimated. In reference to our own country the statistics show that no country in the history of the world ever had such a composite population as ours. The white natives and the immigrants from Germany and Great Britain make up eighty-five per cent of our population, and the remainder consists of negroes and other races of other types and thirteen per cent for those of African descent. Probably no other country on the face of the globe can show such a diversity and at the same time such a substantial unity of race and descent.

THE movement in Germany for the better observance of Sunday is growing rapidly. Color blind almost unknown among women. No wonder the fair sex is successful at matching goods.

ONE HUNDRED and fifty tons of coal have just been put on board Jay Gould's yacht Atlanta at Charleston, S. C.

A Census just concluded in New Zealand gives that far-away land a population, European and Chinese, of 352,000.

ONE physician in Lawrence, Massachusetts, has nine patients whose illness was caused by over-exertion in skating rinks.

At Miss Clark Cushman's mission school in Pekin the feet of the girls are not allowed to be bound—the only school in China where that is the case.

O'NEILL, the explorer, has arrived at Mozambique having traversed 1,400 miles of unexplored country between Mozambique and Lake Nyassa.

THE total income of the Salvation army for 1883 is reported at \$1,569,000. The army is now publishing sixteen "War Cries" in various countries.

Russia, which has an area in Europe two-thirds as large as the whole United States, with a population of more than 70,000,000, lies almost entirely north of the latitude of St. Paul.

THE bank of England has a floating balance of \$100,000,000, and the bank notes, if stretched end to end, would reach a distance of 12,520 miles. The Egyptian war will use up a few miles of this money.

CREMATION is to be tried in France permission having been given by the prefect of police, on the recommendation of Dr. Brouard, to burn the remains of hospital subjects, provided a satisfactory apparatus be constructed in one of the Paris cemeteries.

A DAY or two after the arrival of the white elephant in London, the weather being bad, the sacred beast showed signs of a chill. He was first offered a bath of brown stout, but scorned it. A bottle of whisky was then given him, and, on being properly doused, was taken with great gusto and vigorous waving of his trunk.

THE grinding down of the people employed at some fashionable co-operative stores in London has been exciting much attention. Some of the employees have been kept thirty a week nearly eight without pay, and the rest about a half up weekly.

THE author of "The Bread-Winners" informs the Critic that he writes for the benefit of "the toiling millions." This is very funny. Most people would think that to draw a picture of a lot of strikers, led by burglars and murderers, without at the same time giving a picture of the vast majority of American workingmen who are prosperous and happy, is to grossly slander the "toiling millions."

IT is well that the government has a reservation at Hot Springs. Otherwise the merciful statesmen of the republican party would have a hard time.

POLITICAL NOTES.

GENERAL HANCOCK isn't talking politics to you one.

BUTLER, Thurman and anti-monopoly is the latest ticket. It falls from San Francisco.

THE Chicago Herald declares that it is good as settled that the democratic national convention will meet in that city.

THE Boston Post says that the state convention, which is the Massachusetts democratic convention, will meet on the 29th instant, to name the time and place for, and which will select the delegates at large to the democratic national convention, will be composed of the same delegates as made up the convention which met in Springfield last summer and renominated Governor Benjamin F. Butler.

SENIOR MORRILL, of Vermont, has served nearly thirty years in congress, six terms in the house and three in the senate. He is seventy-five years old but could easily pass for twenty years younger. A number of enterprising politicians in that state have been instrumental in getting him elected to the house, but a scurrilous remark of his son, that he was not known to have any friends, has caused him to be a laughing stock.

SPEAKER CARLISLE wields the gavel with some bitterness. He pounds as though he were afraid of making too much noise, and in this respect he differs from Keifer, who made the splinters fly over the devoted heads of the clerks below him, and cowed them with two bulging bunches of inebriously overfed and fatigued horses.

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GEORGIA FARMERS.

GEORGIA AGRICULTURAL CONVENTION IN SAVANNAH.

A powerful Address of Welcome From Mayor Jos E. Lester—Mr. Mooy as a Lawyer and a Farmer—The Hospitality Tendered by the City and Corporation, Etc.

to the Constitution.

SAVANNAH, February 12.—The state agricultural convention concluded to-day in Masonic Temple, and invited fifty delegates were present. It is with prayer by Rev. Charles E. Strong of his church, Hon. Mr. Livingston, vice-president in the chair, Major Lester extended an invitation as follows:

President and gentlemen of the convention:—requested by the people of the city to extend cordial welcome to their midst. The duty I cheerfully perform. The heart of every true Georgians goes out to the men who represent the agricultural interest—that interest upon which depends the welfare of the whole state. No people are so important; no other so independent; no other, in their situation and circumstances, so capable of contributing to the prosperity of the state and the perpetuation of her fine institutions.

Georgia is an agricultural state. Her great agricultural products—upon her sea coast and in the inland valleys, among her granite mountains, upon the soil and gather her fertility, and the industry of the soil can and the comforts of home. Georgia is a hospitable, hospitable homes, where generous, high-spirited people live, and rest, and are anxious to invest their inheritance in the welfare of their families, to love their neighbors, to deal fairly and to be just to the strangers within their gates. The material interest of the state is honored by the selection of our city as the place of our deliberations. Whatever concerns agriculture, we are anxious to have a great and notwithstanding it may be the disposition to dispute our claims. We do not believe in the right of secession, as the basis that distributing shows eight districts in demand and two republican or democratic.

THE STATES AROUND.

FROM VIRGINIA TO TEXAS, AND KENTUCKY TO FLORIDA.

One Section of a Freight Train Runs into the Other, Killing a Brakeman and Demolishing the Cars—Arrrest of a Telegraph Manager at Birmingham—Other South News.

By Telegraph to The Constitution.

UNION SPRINGS, February 12.—One negro seriously stabbed another here last night. It seems that one of the negroes had married the divorced wife of the other, whereupon he became incensed at his brother in law, striking him in the women clothing upon the man that he had supposed him in the affection of the dusky dame, and stabbed him as above stated.

BIRMINGHAM, Alabama.

BIRMINGHAM, February 12.—R. D. DeForest, manager of the Bell telephone company in this city, was arrested to-day on a warrant sworn out by W. J. Cole, superintendent of the telephone company, charging him with embezzling nearly a thousand dollars. Forrest was in jail for a short time, but succeeded in getting bailed.

S. B. Posey stated his brother-in-law severely in the right hip to-day. The quarell over a trifling sum in the rolling mill were started to-day for the first time. This is the only mill in the south making sheet iron.

Kosciusko, Virginia.

RICHMOND, Va., February 12.—The senate to-day passed the bill redistricting the state for representatives in congress. It was immediately communicated to the house of delegates, and the two houses, after voting on the part of the constitution, it was passed by a strict party vote, the constitution voting in the negative. The bill was immediately adopted and carried by the voting offices of both houses and sent to the governor. In the event of its return with the executive's disapproval, the vote to pass it over his veto will be very close. Taking into account the fact that the basis that distributing shows eight districts in demand and two republican or democratic.

Lexington, Missouri.

LEXINGTON, Feb. 12.—A man named Arnold crossed the river on the ice to day, coming into the city from the Ray county shore. When about half way over he reached the ice which had formed last night, and was about to get out when he was taken from the冰 by a large wave and was carried away. Fortunately it floated toward the ferry boat, which he reached in safety. In relating his feelings to your correspondent, Mr. Arnold said he was not afraid of the water, but that he was constantly thinking of the Missouri case in hand. His escape from drowning was marvelous, for the ice upon which he stood was very thin, and in addition rocked up and down with the current.

Chattanooga, Tennessee.

CHATTANOOGA, February 12.—A part of first section of a freight train on the Cincinnati Southern railroad, broke loose last night on a heavy grade between Emory Gap and Oakdale junction, and was run into the second section, which was following, causing the train to be derailed on the track. The train was derailed on the 11th street meeting the advancing train, out the shock came and the engine— a Mogul—crashed its way over the cars in a most reckless manner, scattering the frag mass in every direction, killing but but slightly. Burd's head was cut off his body received in the middle and otherwise mangled. At least fifteen were wrecked and the engine badly damaged.

One of the first looking prisoners who has been in jail for several months is Mr. Mathews, who was highly regarded in the community, and was born with bigamy, and came here to prosecute a writ of habeas corpus before Judge Treadwell. A seven years ago Mathews, a daughter of George Smith of Missouri and five children were born to them. She died in a short time. The doctor married again, this time a widow, and when he died he left the young matine a sister of the second wife was taken into the household as one of the family, and in less than a year she died. He then married again for the third time and placed in jail. He gave sure bond and left the country. In 1882 he came to Jasper as a large land owner, made the acquaintance of a widow, with whom he resided and married in May, 1883. He engaged in the drug business, but the fact soon began to develop that he had a secret. 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and passenger depot about the water of the
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STUBBORN GEORGIA.

THROUGH THE CITY.
A GLIMPSE OF CURRENT EVENTS
IN ATLANTA.

The Day's Doings in Public Offices—The Record of the
Courts, the Railroads and the Movie—Real
Estate Operations—Gossip of All Kinds—
Items of General Interest, Etc.

Already Atlanta parties are arranging for
the mardi gras excursion.

Mr. Emory Speer has leased the Tryonian
house, next to Mr. Phillips, on Peachtree
street.

This is kite flying time with the boys, and
yesterday afternoon there were several hun-
dred kites swinging through the air.

Last night a hat rack lifter entered Mr.
Heath's residence, No. 26 Brotherton street,
and stole an overcoat and a hat from the hall-
way.

The Nine O'Clock German club will give
their next german at Concordia hall, Friday
evening, February 15th, complimentary to
Miss Daisy Huff of Macon.

Early yesterday morning a thief entered
Mrs. Mallard's residence, 102 Church street,
and stole two finger rings, some other jewelry
and a small amount of money.

The sheriff of Meriwether county was in
Atlanta yesterday hunting for Bill Hussey, a
negro man forty-five years of age, who is
wanted in that county to answer the charge of
murder.

Mr. William Mickleberry, the junior coun-
cilmnan from the fourth ward, is disconsolate
over the loss of a fine bull pup, which was
stolen from his yard, No. 64 Jackson street,
yesterday before last.

A negro woman named Mary Woods, who
lives on Rhodes street, gave birth to a child a
few days ago, and soon after the child was
born it was found that it had several teeth in
it lower jaw.

Mr. Henry Robson was thrown from his
horse just before last between the city and
Kirkwood, and sustained internal injuries.
Yesterday he was resting easy, and his physician
is sanguine of an early recovery.

Yesterday morning Patrolmen Brunning
and Bone arrested John Butcher a negro who
had a pair of new shoes slung across his arm.
The shoes were similar to those taken from
an Air Line car night before last, and as
Butcher could give no good account of him-
self he was taken in.

Yesterday about noon Freddie McEwin,
son of Patrolman McEwin, was thrown from
one of C. C. Gandy's horses, and was
thrown into Hunker street and was badly
injured about the head. In trying to turn the
wagon around the driver upset it. Master
McEwin is employed as a cash boy at the
store and was properly cared for by the pro-
prietors.

Yesterday was the time appointed for the
regular monthly meeting of the Atlanta
chamber of commerce, but no quorum as-
sembled no business was transacted, and as
there was no business to transact there was
really no imperative reason for the assem-
bling of a quorum. The chamber of com-
merce is moving along so satisfactorily and
prosperously that monthly meetings seem to
be regarded as entirely unnecessary.

A CHICKEN THIEF KILLED.

Captain W. T. Newman Finds a Midnight Visitor to
His Room.

A few nights ago Captain W. T. Newman,
the ex-city attorney, was aroused from his
slumbers by a most terrific cackling of chick-
ens under his house. Instantly the captain
arrived at the conclusion that a hawk had
entered his house and with a view to recovering his
fowls he proceeded to the yard. Once outside
the door the cackling became louder and without
any trouble the Captain located the portion of the house which the chicken was
under. He sprang to the roof and there is
nothing to be done but to have him except for a pardon." asked
"What's the chance for a pardon?" asked
the negro.

"There is no chance under the sun," re-
plied the assistant keeper, "Lacy has been in
the penitentiary only about a year, and his
sentence is for life. There is nothing for him to
do but to serve out his sentence."

"If I were to pay three thousand dollars
to a lawyer, would it do any good?" asked
the negro.

"Not a bit," was the reply, "every cent
that you pay to a lawyer is that much thrown
away. You can do nothing to get him out
but the command was ignored, although
repeated several times. Finally losing his
patience, the captain secured his arms, and
pointing under the house in the direction of
the pair of shining eyes, pulled the
trigger. A loud report followed and immediately after the report had died
away, groans greeted the captain's ears and
at the same time, the chicken having been
fried, ran from the kitchen. The negro, who
had been greatly frightened, dashed away and then
Captain Newman undertook the task of securing
the thief, which he had reason to believe he
had killed. Only a little hard work was
necessary to bring the body to
light, and then it was found
that the thief was really dead. Captain New-
man quickly identified him as an opium
addict, and at the inquest no evidence was adduced
showing where the opium came from.

Colonel Towers turned to the list of com-
vict and replied that Lacy was there.

"I did not know what his offense was nor
what he had been up to in regard to the
city," replied the captain. "I thought possibly he might have done something pun-
ishable by a fine, and I came down to pay
him out."

"No," answered Colonel Towers, "he is in
the penitentiary for a felony, and there is
no hope for him except by a pardon."

"What's the chance for a pardon?" asked
the negro.

"When will a meeting of the manufacturers
be held?"

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Firing and Glazing for amateurs & specialty
Dealers in Fine Art materials, China, etc.
Send for circulars.

Write for circulars.

COTTON AND WEATHER.

Cotton—Middling uplands closed in Liverpool
yesterday at 5 1/2d; New York at 10 1/2c; At
lanta at 10c.

Dusty Weather Report.

Observers' Office Showed Colors U. S. A.
U. S. Cotton House, February 12, 10:30 p.m.

All observations taken at the same moment of
time at each place named.

Local Observations

Time of observation.

Atlanta 30 06 64 57 S. Fresh 60 Fair.

Augusta 30 06 64 57 S. Fresh 60 Foggy.

Gainesville 30 06 65 60 S. Fresh 60 Foggy.

Indiana 30 06 58 56 N. Brick 60 Cloudy.

Key West 30 06 57 56 N. Fresh 60 ...

Mobile 30 06 57 56 N. Fresh 60 ...

Montgomery 30 06 57 56 N. Fresh 60 ...

New Orleans 30 06 69 63 S. Fresh 60 ...

Philadelphia 30 06 57 56 N. Fresh 60 ...

Palestine 30 06 21 56 N. Fresh 60 ...

Savannah 30 11 64 57 S. Fresh 60 Fair.

Mean daily 30 06 64 Maximum ther. 68.5
" " ther. 63.6 Minimum 55.4
" " " " " " 50.0 Fair.

The weather at other points at 7 A.M. August
temperature: 68, weather cloudy; Mobile, 63, cloudy;
New Orleans, 66, foggy; Vickburg, 64, fair; Cincinnati,
61, foggy; Chicago, 62, cloudy; Palestine, 68,
hazy; Mobile, 63, cloudy; Mobile, 60, cloudy; New Orleans,
68, cloudy; Mobile, 63, cloudy; Mobile, 60, cloudy.

Illustrated Price Lists, describing new
improvements.

WATC

Send to
J. P. STEVENS & CO.,
ATLANTA, GA.

A Fifteen Year's Service with His Department
For the Loss of His Staff.

The Atlanta police department is now on the
alert for John Storey, a young boy fifteen years
old, who left his home, No. 16 Fullam street, before
daylight yesterday morning. For some time past
John Storey has expressed great dissatisfaction
with his home, and has been threatening to run away
before last he went home quite late and yesterday
morning when the servant went to his room to
wash him, he had run away. He is a boy of
about 15 years of age, 5 feet 4 inches high, 100
pounds weight, dark hair, blue eyes, and is slightly
stoop shouldered. He was dressed in dark clothing.

FOR THE BADGERS.

The Atlanta Police on the still Hunt for a Bad Sign
Writter.

Mr. Griffin, a gentleman who resides on Calhoun
street, near Baker street, last night appeared at
police headquarters and requested the arrest of
Duke Badger and his brother. Mr. Griffin
alleges that one of the boys, whose
name is Duke, has been writing on a
fence opposite his house. After
the boys had displayed their capabilities as sign
writers, the father Mr. Griffin would send his
son to the police station, telling him to go
there. Their father was not at home,
but late last night Duke Badger met Mr. Griffin on
the street and about him to run. Captain
Aldridge is now armed with a warrant for their
arrest.

"Bunch of Keys."

Dodge's was packed last night with one of the
best audiences of the season. "Bunch of Keys"
is a burlesque on modern hotels, and in some
points is not very far from the beaten tracks of
everyday comedy. A musical comedy, a
few scenes and a little dancing, "Bunch of Keys"
is a success. Miss Flora Moore makes a
jolt, "Teddy Keys," and the other female charme
are well up to the mark. The company
seem to fit the play to a dot. The matinees
this afternoon, and the performance to night
will be a success. The audience will be
well satisfied, and the show good in its
way for a long time. "Bunch of Keys" and the
beauty of it is that while the fun is innocent, it is
an aside with any comedy now on the stage.

The Capital Commission.

The capital commission was in session all day
yesterday consulting with Mr. Edbrooke, the archi-
tect. Nothing of interest was done. Mr. Edbrooke
expects to leave for Chicago to day.

The Rats and the Canaries.

Monday night rats killed seven fine canary birds
for Mr. L. B. Folson.

PERSONAL.

Dr. J. P. Huntley, Dentist, 61 Wheat street.

Dr. Drake left the city to recuperate his health
and did not practice, his practice will be in
charge of Dr. Todd.

The young people of First M. E. Church will
have a Valentine Entertainment at Mrs. Shipps',
No. 100 Peachtree street, Thursday evening,
February 14th. Admission 10 cents.

Dr. Miller & Wood have removed to the Gais-
City National bank, first floor, corner of Abrams
and Pryor streets. Entrance from Pryor. St.

Mr. Morris & Son, in the Dishes, of Chamberlain,
Johnson & Son, in New York buying a large
stock of elegant spring goods.

C. E. Boynton is in San Antonio, Texas, recuper-
ating his health.

C. A. Harris, a prominent citizen of Cuthbert,
Ga., is in the city under treatment for his eyes.

OWENSBY, KY.—Rev. J. N. Beck says: "I
have used Brown's Iron Bitters and consider-
ed it one of the best tonics sold."

Ugly blotsches and stubborn old sores are
cured by Samaritan Nervine. Try it, \$1.50.

A pleasing Persian astrologist explains that
the red sunsets before the full moon is good

for the eyes.

Cure for Piles.

The first symptom of piles is an intense itching at
night, and the patient is compelled to get up to scratch
it. This is immediately relieved by an application of
Dr. Whithead's Pile Remedy. Piles in all forms
and sizes can be removed by the use of this great
remedy. Manufactured by Dr. Whithead,
Montgomery, N. Y., Sold by Sharp Bros., No.
29 Market street, Mount Pleasant, opposite
National Hotel, and A. J. Finson.

Train No. 27 will stop at and receive passengers
at each station to and from the following stations only:

Brown Hotel, Hotel de l'Europe, Canoe, Craw-
fordville, Union Point, Greenup, Madison, Rut-
ledge, Social Circle, Covington, Cuyler, Stones
Mountain and Roswell. The train makes a
connection for all points East, Southeast, North and Northwest, and carry
through to Savannah, Augusta, and points West.

Train No. 28 will stop at and receive passengers
at each station to and from the following stations only:

Brown Hotel, Hotel de l'Europe, Canoe, Craw-
fordville, Union Point, Greenup, Madison, Rut-
ledge, Social Circle, Covington, Cuyler, Stones
Mountain and Roswell. The train makes a
connection for all points East and Southeast.

Tickets for all points and Sleeping Car Berths on sale at Union Depot Ticket Office 30 minutes prior
leaving time of all trains.

G. A. WHITHEAD, Gen'l Pass. Agent.

T. D. KLINK, Sup'r. W. E. M. Mason.

CHAMBERLIN & CO.,
SUCCESSIONS TO
CHAMBERLIN, BOYNTON & CO.
MARKED DOWN TO CLOSE OUT.
BLACK SILKS, VELVETS, WINTER DRESS GOODS, LOT OF EMBROIDERIES, LOT OF TABLE LINENS.
ANYTHING WE HAVE IN CLOAKS AT HALF PRICE.
WHITE GOODS, REMNANTS TICKING, REMNANTS SHEETINGS, REMNANTS BLEACH DOMESTICS.
INGRAIN AND BRUSSELS CARPETS.
ALSO CALL ATTENTION TO THE

BEST STOCK SHOES IN THE CITY.
We have many goods now that we are determined to sell, and that are useful and good. Call early and take a look at them.

CHAMBERLIN, JOHNSON & CO.

VALENTINES
AND
FRANG'S VALENTINE CARDS.
The most artistic assortment ever displayed
in this city. Also.

A New Stock of Mouldings
AND
PICTURE FRAMES,
AT
PITCHFORD'S,
28 WHITEHALL ST.
(Successor to Lovejoy & Pitchford.)

—FOR—
BLANK BOOKS, STATIONERY
—AND ALL OFFICE SUPPLIES,—
—CALL AT—
LYNCH & LESTER'S.

C. W. MOTES,
PORTRAIT PHOTOGRAPHER,
34 Whitehall Street.

Finest prints in Crayon and Water Colors in
the city. The

CARBON LAMBERTYPE,
The finest and most permanent picture made.
Photography in all its branches. We have
the best light, finest scenery and accessories of any
gallery in the city.

FINE PICTURE FRAMES A SPECIALTY.
C. W. MOTES.

BEST & MOST DURABLE IN THE MARKET

UPRIGHT OR SQUARE
PIANOS

THE GRAND OLD CHICKERING,
THE UNRIVALLED KRANICH & BACH,
THE FAVORITE

GUILD, R. M. BENT AND VOSE & SON,
ORGANS,

WILCOX & WHITE, SMITH AMERICAN
STERLING CO.

Each instrument warranted five years. Catalogue
mailed upon application.

It will pay you not to buy till you call upon
or address

F. L. FREYER,
27 WHITEHALL ST.

David H. Dougherty.

SPOT CASH.

Look out for new White Goods. A big variety just in.

Also some very choice designs in Lace Suitings just received.

—

David H. Dougherty.

SPOT CASH.

Look out for new White Goods. A grand display

of new goods and richer bargains, will be offered by us than ever before in these lines of goods.

—

David H. Dougherty.

SPOT CASH.

Our Novelties in New Ruching are cranky. I should smile and so will you when you fasten your eyes on 'em.

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David H. Dougherty.

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David H. Dougherty.

SPOT CASH.

New Table linens, Laces and White Goods. A grand display

of new goods and richer bargains, will be offered by us than ever before in these lines of goods.

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